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NO. 318 P. 52

Exhibit 3

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R E C E I V E D

MAY - 5 2004

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CLERK, U.S. DISTRICT COURT
RECEIVED MAY 5 2004
COURT OF CALIFORNIA

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12 MICROSOFT CORPORATION

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16
17 INTERTRUST TECHNOLOGIES
CORPORATION, a Delaware corporation,

Case No. C 01-1640 SBA (MEJ)
Consolidated with C 02-0647 SBA (MEJ)

18 Plaintiff,

19 v.
20 JOINT STIPULATION OF
21 DISMISSAL WITH PREJUDICE

22 MICROSOFT CORPORATION, a
Washington corporation,

23 Defendant.

24 AND RELATED CROSS-ACTION.

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9843-6-SO1

JOINT STIPULATION OF DISMISSAL WITH
PREJUDICE
C 01-1640 SBA (MEJ)

1 WHEREAS the Parties have resolved their dispute;

2 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff
3 InterTrust Technologies Corporation and Defendant and Counterclaimant Microsoft Corporation
4 by and through their respective undersigned counsel, and pursuant to Federal Rules of Civil
5 Procedure 41(a)(1)(ii) and 41(c), that the above-captioned matter be dismissed in its entirety with
6 prejudice, with each side bearing its own costs and attorney's fees.

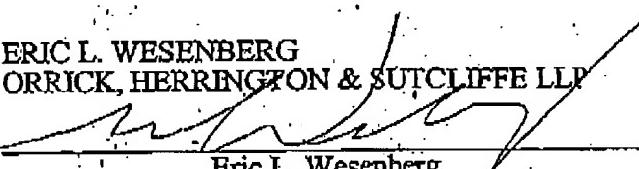
7

8

9

10 Dated: 5/5/04

ERIC L. WESENBERG
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Eric L. Wesenberg
Attorneys for Defendant and Counterclaimant
MICROSOFT CORPORATION

11

12

13 Dated: 5/5/04

MICHAEL H. PAGE
KEKER & VAN NEST LLP


Michael H. Page
Attorneys for Plaintiff and Counterdefendant
INTERTRUST TECHNOLOGIES CORP.

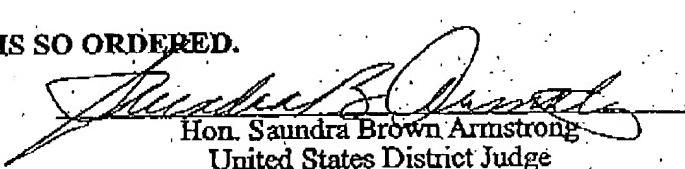
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17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 Dated: 5-6-04


Hon. Saundra Brown Armstrong
United States District Judge

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DECLARATION OF SERVICE VIA ELECTRONIC MAIL AND U.S. MAIL

I am more than eighteen years old and not a party to this action. My place of employment and business address is 1000 Marsh Road, Menlo Park, California 94025.

On May 10, 2004, I served:

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

By transmitting a copy of the above-listed document(s) in PDF form via electronic mail Michael H. Page at mhp@kvn.com, Doug Derwin at doug.derwin@derwin.com, dderwin@intertrust.com; James E. Geringer at james.geringer@klarquist.com and Michael Lyons at mlyons@morganlewis.com and also by placing true and correct copies of the above documents in an envelope addressed to:

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Attorneys for Defendant and Counterclaimant,
MICROSOFT CORPORATION

and sealing the envelope, affixing adequate first-class postage and depositing it in the U.S. mail at Menlo Park, California.

Executed on May 10, 2004 at Menlo Park, California.

I declare under penalty of perjury that the foregoing is true and correct.

ANNA FREDDIE